

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES and STATE OF
TEXAS *ex rel.* DANIEL W. ELLIOTT,
M.D. and LISA A. MINSLOFF, M.D.,

Plaintiffs,

v.

SOUTHEAST TEXAS MEDICAL
ASSOCIATES, LLP *et al.*,

Defendants.

No. 1:23-CV-00329

DEMAND FOR JURY TRIAL

**RELATORS' MOTION TO EXTEND DEADLINE TO
FILE AMENDED PLEADINGS WITHOUT LEAVE OF COURT**

On October 20, 2023, the Court entered an Order Granting in Part Defendants' Joint Motion for a Temporary Stay of Discovery. (Dkt. No. 114). Specifically, the Court ordered that "[a]ll discovery, except discovery related to the pending dispositive motions, are stayed." *Id.*

Only four days later, Relators served a small number of narrowly tailored Requests for Production, Requests for Admission, and Interrogatories on some Defendants that specifically reference issues that those Defendants argue in their pending motions to dismiss. Defendants categorically refused to produce documents or provide responses to those requests. As explained in Relators' simultaneously filed Motion to Compel (Dkt. No. 117), Relators have conferred with Defendants, but unfortunately, the parties are at an impasse and require court intervention.

Currently, the deadline for Relators to file amended pleadings without leave of court is January 3, 2024. (Dkt. No. 108). Given the upcoming holidays, Relators understand that the Court likely cannot rule on the Motion to Compel until well into the new year. Thus, Relators likely will not be able to amend their complaint with the benefit of discovery related to the pending dispositive motions by the January 3, 2024 deadline.

Due to this timing, Relators request a sixty-day extension to the deadline for Relators to file amended pleadings and ask that the Court order Relators to file amended pleadings without leave of court by March 4, 2024. Defendant Southeast Texas Medical Associates, LLP and the individual doctor defendants are unopposed to this relief. The remaining defendants, however, oppose the requested extension.

Dated: December 14, 2023

Respectfully submitted,

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By: /s/ Joshua M. Russ

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ATTORNEYS FOR RELATORS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was filed on December 14, 2023, through the ECF system, and will thereby be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Allison N. Cook
Allison N. Cook

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with counsel for Defendants. Southeast Texas Medical Associates, LLP; Muhammad Aziz, M.D.; James Holly, M.D.; Mary Castro, M.D.; Michael Thomas, M.D.; Syed Anwar, M.D.; Caesar Deiparine, M.D.; Ronald Palang, M.D.; Absar Qureshi, M.D.; and Dean Halbert, M.D. are unopposed to the relief requested. The remaining Defendants are opposed to the relief requested in this motion.

/s/ Tyler J. Bexley
Tyler J. Bexley